

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 23, 2009

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, P.J., Rothschild, J., Chaney, J., Johnson, J. and S. Stahl, Deputy Clerk.

Each of the following:

B211512 Kymm, Indv. & as Trustee, etc. et al. v. Dragon Property, Inc.
B212227 Wu, et al. v. Lam

Argument waived, cause submitted.

B212667 Blue Lagoon Entertainment, et al.
 v.
 The City of Los Angeles

Merits:

Argued by Roger J. Diamond for appellant and by Terry P. Macias, Deputy
City Attorney, for respondent. Cause submitted.

B206859 People
 v.
 Stone

Merits:

Argued by Cindy Brines for appellant and by Catherine Okawa Kohm,
Deputy Attorney General, for respondent. Cause submitted.

DIVISION ONE (continued)

B212165 311 South Spring Street Company
 v.
 State of California

Merits:

Argued by Donna M. Dean, Deputy Attorney General, for appellant and by Frank Gooch, III for respondent. Cause submitted.

B209676 Bert Potter dba Central Jail Bail Bonds
 v.
 Martinez et al.

Merits:

Argued by David A. Cordier for appellant and by Matt Dudics for respondents. Cause submitted.

Mallano, P.J. leaves the bench.

B199863 White, et al.
 v.
 Ringold

Merits:

Argued by Nina Ringgold, appellant in propria persona and by Barry R. Wegman and C. Casey White for respondents. Cause submitted.

Mallano, P.J. returns to the bench.

Rothschild, J. leaves the bench.

B207028 California Dermatology Center Inc. et al.
 v.
 United Healthcare Services, Inc. et al.

Merits:

Argued by John A. Cone for appellants and by Bryan S. Westerfeld for respondents. Cause submitted.

DIVISION ONE (continued)

B208204 Norwood
 v.
 City of Los Angeles

Merits:

Argued by Brian T. Dunn for appellant and by Gerald M. Sato, Deputy City Attorney, for respondent. Cause submitted.

B208199 Alimurung
 v.
 State of California Department of Transportation

Merits:

Argued by William C. Clevenger for appellant and by Robert W. Vidor for respondent. Cause submitted.

Court adjourned.

DIVISION THREE

B211524 Kamand Enterprises (Not for Publication)
 v.
 The Wesco Companies, Inc., et al.

The judgments in favor of the County, Westo, Colich and Baker are affirmed. Respondents shall recover their costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION THREE (continued)

B213840 Los Angeles County, D.C.F.S. (Not for Publication)
v.
H.R.

The order from which Father has appealed is affirmed.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

B211263 722 W. 43rd St. LLC, (Not for Publication)
v.
Ali

The judgment is reversed with directions to vacate the orders sustaining the demurrer without leave to amend and denying the motion for leave to amend the complaint, and enter new orders sustaining the demurrer with leave to amend and granting the motion for leave to amend the complaint. Plaintiff is entitled to recover its costs on appeal.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

B214826 Los Angeles County, D.C.F.S. (Not for Publication)
v.
R.D., Sr.

The order from which Father has appealed is affirmed.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

September 23, 2009 (Continued)

DIVISION THREE (continued)

B215026 Los Angeles County, D.C.F.S. (Not for Publication)
v.
A.A.

The order from which Mother has appealed is affirmed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION FOUR

B209481 Shirley (Not for Publication)
v.
CUSA CC, LLC, et al.

The judgment is affirmed. Respondents shall be entitled to their costs on appeal.

Willhite, Acting P.J.

We concur: Manella, J.
Suzukawa, J.

B209222 Robinson (Not for Publication)
v.
Willis

The order denying Willis' motion to set aside the default judgment is affirmed. Robinson shall recover her costs on appeal.

Willhite, J.

We concur: Epstein, P.J.
Suzukawa, J.

DIVISION FOUR (continued)

B206788 Morgan, et al. (Certified for Publication)
v.
At&T Wireless Services, Inc.

The dismissal of the FAL and declaratory relief causes of action is affirmed; the dismissal of the remaining causes of action is reversed. Plaintiffs shall recover their costs on appeal.

Willhite, Acting P.J.

We concur: Manella, J.
 Suzukawa, J.

B208138 People (Not for Publication)
v.
Garcia

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
 Suzukawa, J.

B207986 Amiryans, et al. (Not for Publication)
v.
Socal Sports Clubs, Inc., et al.

The judgment is affirmed. Costs on appeal are awarded to defendants and respondents.

Willhite, J.

We concur: Epstein, P.J.
 Suzukawa, J.

September 23, 2009 (Continued)

DIVISION FOUR (continued)

B208801 People (Not for Publication)
v.
Carey

The judgment is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

B209417 California Neurosurgical & Spinal Assoc. (Not for Publication)
v.
Hayes

The judgment is reversed, and the matter is remanded to the trial court with directions to vacate the judgment and enter a new judgment in Hayes's favor. Hayes is awarded her costs on appeal.

Manella, J.

We concur: Epstein, P.J.
Willhite, J.

B210628 Cortez
v.
Ortiz et al.

Filed order denying petition for rehearing.

B210502 Hur, et al.
v.
Lee

Filed order denying petition for rehearing.

DIVISION FIVE

B207597 People (Not for Publication)

V.

Kyle Macoy David and Charles Block

The judgment is modified to strike the 10-year Penal Code section 186.22, subdivision (b)(1)(C) term that was imposed and stayed as to Mr. Block. Further, the trial court is to impose two Penal Code section 1465.8, subdivision (a)(1) court security fees as to Mr. Block. Upon remittitur issuance, the superior court clerk shall forward an amended abstract of judgment to the Department of Corrections and Rehabilitation reflecting the modification set forth above. The judgments are affirmed in all other respects.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

B208660 Diane Tang (Not for Publication)

V.

Dale Frailey, et al

The order granting a continuance is affirmed, and the order denying further discovery is reversed. The judgment is reversed, and the matter is remanded to the trial court for further proceedings consistent with this opinion. Plaintiff to recover costs on appeal.

Armstrong, J.

I concur: Kriegler, J.
I dissent: Turner, P.J. (Opinion)

DIVISION FIVE (continued)

B209337 Law Offices of Herbert Hafif (Not for Publication)
 v.
 Ronald Stock

The judgment is reversed. Appellant(s) to recover costs.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J.

B202120 Arnulfo Vasquez, et al
 v.
 Juan Interiano dba Interiano Landscaping
 Myra Borgman

Filed order denying petition for rehearing. (Turner, P.J would grant rehearing.

DIVISION SIX

B210919 Williams (Not for Publication)
 v.
 Williams

The order is affirmed. Respondent shall recover costs on appeal.

Perren, J.

We concur: Yegan, Acting P.J.
 Coffee, J.

DIVISION SIX (continued)

B214017 San Luis Obispo County (Not for Publication)
 Department of Social Services
 v.
 M.W., et al.

The orders are affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

B194567 People (Not for Publication)
 v.
 Jones

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
 Perren, J.

DIVISION EIGHT

B212919 People (Not for Publication)
 v.
 Nguyen

The judgment is affirmed.

Rubin, Acting P.J.

We concur: Flier, J.
 Mohr, J. (Assigned)

September 23, 2009 (Continued)

DIVISION EIGHT (continued)

B209937 People (Not for Publication)
v.
Rodas

The judgment is affirmed.

Rubin, Acting P.J.

We concur: Flier, J.
Bigelow, J.

B208520 Robert Culp et al., (Not for Publication)
v.
City Of Los Angeles et al.,

The judgment is reversed. Each party to bear their own costs on appeal.

Bigelow, J.

We concur: Rubin, Acting P.J.
Flier, J.